



# County of San Mateo

## Inter-Departmental Correspondence

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**Department:** COUNTY MANAGER: OFFICE OF SUSTAINABILITY

**File #:** 22-440

Board Meeting Date: 6/14/2022

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**Special Notice / Hearing:** None  
**Vote Required:** Majority

**To:** Honorable Board of Supervisors  
**From:** Carolyn Bloede, Director, Office of Sustainability  
**Subject:** Edible Food Recovery Program Contract Amendments

**RECOMMENDATION:**

Recommendation to:

- A) Adopt a resolution authorizing an amendment to the agreement with Pacifica Resource Center to provide services related to edible food recovery and redistribution in their service area as part of an edible food recovery program as required under California Senate Bill (SB) 1383, extending the term through June 30, 2023, and increasing the amount payable by \$223,660, to an amount not to exceed \$442,823; and
- B) Adopt a resolution authorizing an amendment to the agreement with Nuestra Casa of East Palo Alto to provide services related to edible food recovery and redistribution in their service area as part of an edible food recovery program as required under SB 1383, extending the term through June 30, 2023, and increasing the amount payable by \$172,896, to an amount not to exceed \$665,136; and
- C) Adopt a resolution authorizing an amendment to the agreement with Fresh Approach to provide public education and outreach about food waste prevention, food preservation, and to operate the County's community composting program, extending the term through June 30, 2023 and increasing the amount payable by \$100,000, to an amount not to exceed \$531,678.

**BACKGROUND:**

In September 2016, SB 1383 (Lara, Chapter 395, Statutes of 2016) established statewide emissions reduction targets for short-lived climate pollutants such as methane, a powerful greenhouse gas, which results from the landfilling of organic waste. SB 1383 requires the State to reduce the amount of organic waste disposed of in landfills by 75 percent from 2014 levels by 2025. Given that SB 1383 includes statewide targets, the California Department of Resources Recycling and Recovery

(CalRecycle) proposed regulations that require a more prescriptive approach for local jurisdictions to achieve specific requirements for reducing the amount of organic waste, such as food waste, that goes to landfill. This includes a requirement that local jurisdictions establish edible food recovery programs.

On January 28, 2020, the Board approved an edible food recovery (EFR) program pilot proposed by the Office of Sustainability (OOS). The scope of the pilot included partnering with the local food bank, Second Harvest of Silicon Valley (Resolution No. 077216), core service agency Pacifica Resource Center (PRC) (Resolution No. 077217), and Nuestra Casa of East Palo Alto (NCEPA) (Resolution No. 077218) to recover surplus edible food from supermarkets and wholesalers and to redistribute this surplus food to community members in need. To support this pilot, the Board also approved an agreement with Fresh Approach to develop food waste reduction curriculum and workshops for the public around the environmental impacts of wasting food, strategies for saving money through food waste prevention and preservation, and the basics of composting (Resolution No. 077219).

On January 5, 2021, the Board adopted two resolutions to further support the County's EFR program pilot and efforts to meet SB 1383's organics diversion goals. The first resolution authorized an amendment to the agreement with Fresh Approach (Resolution No. 077918) to create new community composting hubs expanding access to composting programs and local composting infrastructure. The second resolution authorized an agreement with Samaritan House (Resolution No. 077919) to establish their organization as a member of the EFR program pilot, providing food recovery and distribution services in addition to Second Harvest Silicon Valley, PRC, and NCEPA.

On December 7, 2021, the Board adopted Ordinance No. 4857 codified at Chapter 4.106 of the San Mateo County Ordinance Code, establishing an Edible Food Recovery Program. This ordinance requires local food generators to contract with food recovery organizations to collect and distribute their excess edible food.

#### **DISCUSSION:**

To comply with the edible food recovery requirements of SB 1383, the County has transitioned the successful EFR program pilot to a large-scale countywide EFR Program in partnership with all the cities in the county. Through the EFR Program, the County has contracted with PRC, NCEPA, and other core service agencies, providing them funding to purchase refrigerated vehicles, hire drivers, pick up surplus edible food from businesses, and distribute collected foods to community members in need throughout the county as required by Ordinance No. 4857. Since its beginning in 2020, the EFR Program has recovered and distributed over 10.5 million pounds of edible food to residents throughout San Mateo County, supplying important supplemental food during the COVID-19 pandemic.

Up to this point, the County has funded EFR pilot and Program operations through one-time Assembly Bill (AB) 939 funds. This support has been necessary for our partner organizations to scale and sustain their EFR offerings to additional businesses throughout San Mateo County. However, to ensure long-term sustainability, new means of funding EFR Program operations will be required. OOS proposes to extend the County's agreements with PRC and NCEPA to support the organizations as they transition their EFR offerings to fee-for-service models where businesses are charged for the EFR services they receive.

Additionally, to support the success of the EFR Program, the OOS proposes to extend the County's

contract with Fresh Approach to continue their work providing food waste prevention workshops, food preservation workshops, and community composting programs. Under the amended contract, Fresh Approach will update their food waste reduction curriculum, develop an online, self-paced class, continue their current community composting programming, and identify opportunities to generate earned income to help sustain community composting beyond the term of this contract.

The County Attorney's Office has reviewed and approved the amendments and resolutions as to form.

**FISCAL IMPACT:**

These amendments will be funded by monies from the AB 939 Fund Account. This account is funded by fees levied on all waste disposed of at the Ox Mountain Landfill and is specifically designated for waste reduction and diversion programs across the county. Funds are included in the FY 2021-22 Adopted Budget and will be included in the Preliminary Approved FY 2022-23 Recommended Budget. There will be no Net County Cost.